

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JUDGMENT

Eliason, Magistrate Judge

For the reasons set out in an Order entered contemporaneously with this Judgment,

IT IS ORDERED AND ADJUDGED that Defendant's motion to dismiss this action for Plaintiff's failure to state claim upon which relief may be granted (docket no. 17) is granted and that this action be, and the same hereby is, dismissed.

Russell A. Eliason
United States Magistrate Judge

July 26, 2007